

Serial No.: 10/571878
Examiner: Jessica L. Laux
Reply to Office Action Mailed May 12, 2010
Page 9 of 10

REMARKS

Reconsideration is requested in view of the above amendments and the following remarks. Claims 20, 30 and 33 have been revised. Support for the revision can be found at, e.g., the third full paragraph on page 16 of the specification and Figs. 16-17 and 50-55, among other places. Claims 20 and 23-37 remain pending in the application. No new matter has been added.

Claim Rejections- 35 U.S.C. §102

Claims 20, 23-27, 30 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Steinhage et al. (US 2,550,945). Applicant respectfully traverses this rejection.

Claim 20 requires a projecting portion formed by a sloped upper slope portion to be engaged with a downward-flared shaped recess of the upper analogous block and thereby supporting the upper analogous block. Claim 20 also requires a top of a ridge of a bottommost block being higher than a bottom foot of an uppermost block when three analogous blocks are overlapped vertically. These arrangements advantageously achieve leak-proof, non-watertight and soil-keeping effects when using the blocks for construction (see, e.g., the third full paragraph on page 9 of the specification, among other places).

Steinhage et al. fail to teach a projecting portion formed by a sloped upper slope portion to be engaged with a downward-flared shaped recess of the upper analogous block and thereby supporting the upper analogous block as required by claim 20. The rejection refers to Fig. 4 of Steinhage et al. as disclosing this arrangement. However, in Fig. 4, it is the intermediate wall 7, 107, rather than the sloped connecting webs 8, 9, that engages the upper block and supports the upper block (see Steinhage et al., Fig. 4). In fact, as clearly shown in Figs. 1-4 of Steinhage et al., the intermediate wall 7, 107 in Steinhage et al. is not sloped. On the other hand, the top surfaces 10, 11, 110, 111 of the sloped connecting webs 8, 9 in Steinhage et al. do not engage with the upper block. Neither do the surfaces 10, 11, 110, 111 support the upper block.

Nor do Steinhage et al. teach or suggest a top of a ridge of a bottommost block

Serial No.: 10/571878
Examiner: Jessica L. Laux
Reply to Office Action Mailed May 12, 2010
Page 10 of 10

being higher than a bottom foot of an uppermost block when three analogous blocks are overlapped vertically, as required by claim 20. On the contrary, Steinhage et al. clearly discuss that "the plane of the bottom surface of intermediate wall 7 is common with the plane of the top surfaces 5, 6 of exterior walls 1 and 2" (see Steinhage et al., col. 1, lines 44-47, see also Fig. 4). As a result, in Steinhage et al., a top of the intermediate wall 7 of a bottommost block would not be higher than a bottom foot of an uppermost block if three analogous blocks are overlapped vertically.

For at least the foregoing reasons, claim 20 is patentable over Steinhage et al. Claims 23-27 depend ultimately from claim 20 and are patentable along with claim 20 and need not be separately distinguished at this time. Claims 30 and 33 are patentable over Steinhage et al. for at least the similar foregoing reasons. Applicant is not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claim Rejections- 35 U.S.C. §103

Claims 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gravier et al. (US 5,623,797) in view of Steinhage et al. Applicant respectfully traverses this rejection. Claims 34-35 depend ultimately from claim 33 and are patentable over Gravier et al. in view of Steinhage et al. for at least the same reasons discussed above regarding claim 33. Gravier et al. do not remedy the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claims 31-32 and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhage et al. in view of Dwyer et al. (US 1,686,270). Applicant respectfully traverses this rejection. Claims 31-32 depend from claim 30 and are patentable over Steinhage et al. in view of Dwyer et al. for at least the same reasons discussed above regarding claim 30. Dwyer et al. do not remedy the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of claims 31-32.

Claims 36-37 depend from claim 33 and are patentable over Steinhage et al. in

Serial No.: 10/571878
Examiner: Jessica L. Laux
Reply to Office Action Mailed May 12, 2010
Page 11 of 10

view of Dwyer et al. for at least the same reasons discussed above regarding claim 33. Dwyer et al. do not remedy the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of claims 36-37.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhage et al. in view of Bilka (US 6,606,835). Applicant respectfully traverses this rejection. Claim 28 depends from claim 20 and is patentable over Steinhage et al. in view of Bilka for at least the same reasons discussed above regarding claims 20 and 23-27. Bilka does not remedy the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of the claim.

Claim 28 is also rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhage et al. in view of Hancock (US 3,355,849). Applicant respectfully traverses this rejection. Claim 28 depends from claim 20 and is patentable over Steinhage et al. in view of Hancock for at least the same reasons discussed above regarding claims 20 and 23-27. Hancock does not remedy the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of the claim.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhage et al. in view of Bouchard et al. (US 6,108,995) or French Patent 2.221.036. Applicant respectfully traverses this rejection. Claim 29 depends from claim 20 and is patentable over Steinhage et al. in view of Bouchard et al. or French Patent 2.221.036 for at least the same reasons discussed above regarding claims 20 and 23-27. Neither Bouchard et al. nor French Patent 2.221.036 remedies the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of the claim.

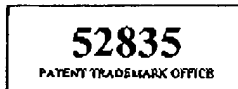
Serial No.: 10/571878
Examiner: Jessica L. Laux
Reply to Office Action Mailed May 12, 2010
Page 12 of 10

RECEIVED
CENTRAL FAX CENTER

AUG 12 2010

In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact the undersigned attorney, Rong Yang, Limited Recognition No. L0279, at (612) 455-3816.

Respectfully submitted,



HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902-0902
Minneapolis, MN 55402-0902
(612) 455-3800

Dated: August 12, 2010

By: _____

A handwritten signature in black ink, appearing to be "Rong Yang", written over a horizontal line.

Rong Yang
Limited Recognition No. L0279

CY